

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**JOHN O. MARABLE, JR.,**  
**Plaintiff,**

**v.**

**DEPARTMENT OF COMMERCE,**  
***et al.*,**  
**Defendants.**

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**No. 3:17-CV-3030-D**


**ORDER**

The court has considered the findings, conclusions, and recommendation of United States Magistrate Judge Rebecca Rutherford filed June 15, 2018, plaintiff's objections, filed July 3, 2018, and defendants' response to plaintiff's objections, filed July 17, 2018. The court has made a *de novo* review of those portions of the proposed findings, conclusions, and recommendation to which objections were made. The objections are overruled, and the recommendation of the United States Magistrate Judge is adopted.

Accordingly, defendants' November 30, 2017 motion to dismiss is granted, and plaintiff's action is dismissed without prejudice by judgment filed today.

**SO ORDERED.**

August 15, 2018.

  
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SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE